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TO RUEHC/SECSTATE WASHDC PRIORITY 8835
INFO RUCNCOM/EC CARICOM COLLECTIVE
RUCPDOG/DEPT OF COMMERCE WASHDC
RUEHCV/AMEMBASSY CARACAS 3733

UNCLAS PORT OF SPAIN 001156

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STATE FOR EB/TPP/IPE AND WHA/CAR
STATE PASS USTR FOR TANUJA GARDE, KENT SHIGETOMI

E.O. 12958: N/A

TAGS: [ETRD](#) [KIPR](#) [TD](#)

SUBJECT: TRINIDAD REQUESTS USG HELP WITH CABLE TV PROVIDERS

REF: POS 1154

11. This is an action request. Please see paragraph 5.

12. With the successful conclusion of licensing negotiations between Trinidad's main cable TV company Flow and U.S. company HBO-LA (reftel), the Telecommunications Authority of Trinidad and Tobago (TATT) has asked Flow to conclude licensing agreements with rights holders of all remaining unlicensed cable channels.

13. According to Steven Bereaux, the TATT lawyer responsible for monitoring HBO-LA's negotiations with Flow, while Flow will no longer broadcast any unlicensed premium movie channels once the agreement with HBO-LA goes into effect December 1, Flow will continue to show eight unlicensed cable channels (A&E, Comedy Central, Encore Western, History, TBS, TLC, USA Network and the Sci-Fi channel). Bereaux reported that Flow is pursuing agreements with these providers and premium movie providers, such as Showtime and The Movie Channel, but that to date, the providers have shown little interest in concluding agreements as they do not consider the Caribbean a significant market and are not sufficiently troubled by this signal piracy to devote manpower to concluding an agreement.

14. As TATT has a dual mandate to ensure cable companies comply with local laws, including provisions on intellectual property, and protect the interests of the viewing audience, which continues to want as wide a range of channels as possible, Bereaux has asked Post to assist in facilitating negotiations so these channels can be legally distributed to the Trinidadian population. Bereaux added that Flow may be interested in adding other channels to their roster in the future and would appreciate Post assistance in those cases too.

15. ACTION REQUEST: Post requests Washington agencies' guidance/assistance on responding to TATT's appeal for USG help to encourage U.S. rights holders to negotiate licensing agreements with Trinidadian cable companies. With the Trinidadian authorities trying to "do the right thing" on IPR by rejecting compulsory licensing and encouraging local cable companies to negotiate licenses for all TV broadcasts, Post sees in TATT's request a good opportunity to protect the interests of U.S. rights holders and encourage IP protection.

AUSTIN